

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

RONALD BAKER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.: 3:19-cv-313-PPS-MGG
	)	
JAMES TINKER and	)	
US FOODS, INC.,	)	
	)	
Defendants.	)	

**AMENDED COMPLAINT FOR DAMAGES**

Plaintiff, Ronald Baker, by counsel, for his action against Defendants, James Tinker and US FOODS, INC., states as follows:

1. At the time of the accident which is the subject of this lawsuit, Plaintiff was a resident of St. Joseph County, Indiana.
2. At the time of the accident which is the subject of this lawsuit, Defendant James Tinker was a resident of Berrien County, Michigan.
3. At the time of the accident which is the subject of this lawsuit, Defendant US FOODS, INC. was a corporation doing business in Indiana, organized under the laws of the State of Delaware, and its principal place of business was located in Illinois.
4. The accident which is the subject of this lawsuit occurred in St. Joseph County, Indiana.
5. At the time of the accident which is the subject of this lawsuit, Defendant James Tinker was acting in the course and scope of his employment with US FOODS, INC.
6. On or about January 20, 2019, Plaintiff was traveling on Ameritech Drive with the

right-of-way.

7. At the same time and place, Defendant James Tinker turned left out of a parking lot and directly into the path of Plaintiff's travel.

8. At all relevant times, Defendant James Tinker owed a duty to Plaintiff and others on the roadway to operate his vehicle with reasonable care.

9. Defendant James Tinker breached his duty to Plaintiff when he failed to maintain a proper lookout and failed to yield the right-of-way.

10. As a direct and proximate result of Defendant James Tinker's negligence, Plaintiff sustained physical injuries and incurred medical expenses, pain and suffering, emotional distress, property damage, loss of use of his property, rental expenses, diminution of the value of his property, and lost time, all of which damages are in an amount yet uncertain.

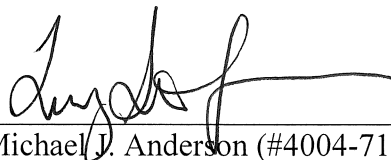
11. Defendant US FOODS, INC., is vicariously liable for the acts of its employee, James Tinker, taken in the course and scope of his employment.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount that will reasonably compensate him for the damages he has sustained, the costs of this action and for all other just and proper relief.

**JURY DEMAND**

With regard to the allegations of this Complaint, Plaintiff, by counsel, requests a trial by jury.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael J. Anderson", is written over a horizontal line.

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